



House Bill No. 5785

Special Act No. 05-9

AN ACT CONCERNING THE POWERS OF THE ZONING COMMISSION OF THE NOANK FIRE DISTRICT AND VOTING AT MEETINGS OF THE FALL MOUNTAIN LAKE PROPERTY OWNERS ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Number 305 of the special acts of 1951, as amended by number 434 of the special acts of 1959, is amended to read as follows (*Effective from passage*):

(a) The provisions of chapter 43 of the general statutes relating to boroughs shall apply to the Noank fire district. The zoning commission of the Noank fire district shall consist of five electors who shall be elected at any annual or special meeting of the district. The terms of office of the members of said commission shall be established by the district at any such meeting. No more than three of such members may also be members of the executive committee.

(b) The electors of the Noank fire district shall by referendum vote on the question of authorization of establishment of village districts. Such referendum shall be conducted at any regular or special meeting called for such purpose. If the electors approve authorization of establishment of village districts, the zoning commission of such district may establish village districts as provided in section 8-2j of the

House Bill No. 5785

general statutes.

(c) The Noank fire district may establish a schedule of fees for review of land use applications. Such fees shall be sufficient to cover the cost of review of such applications.

Sec. 2. Section 8 of number 555 of the special acts of 1953, as amended by special act 73-120, is amended to read as follows (*Effective from passage*):

Each property owner within the territorial limits of said association shall be considered a member of said association for purposes of the levying and collection of taxes provided hereunder. On any issue regarding the budget, there shall be one vote for each lot. The territorial limits of said association shall constitute a separate taxing district within the town of Plymouth, and the board of governors shall prepare and submit to said association at each annual meeting a budget and recommend a tax for the purpose of and based on the budget [, of not more than seventy-five dollars] on each member as the same may appear of record on May first preceding. Any member owning more than one dwelling or lot or any combination of dwellings and lots within the limits specified in section 2 of [this act] number 555 of the special acts of 1953, shall be taxed as a separate member for each dwelling and shall be taxed as a separate member for each dwelling or lot which has different owners of record. Said member, however, shall have but one vote at the association meeting. Said association, at any annual meeting, shall have the power to increase or decrease such budget and rate of taxation recommended by said board. The rate of taxation so recommended by said board shall be final unless increased or decreased by the association at such annual meeting. The tax so laid shall be collected by the treasurer or by any collector specially appointed by the governing board for the purpose, and a rate book shall be prepared and signed by the secretary of said board within such time and in such manner as may be directed by said board, and

House Bill No. 5785

warrants shall be issued for the collection of money due on such rate bill pursuant to the provisions of section 1813 of the general statutes. Said association shall have the power to determine all other matters pertaining to the levy or collection of such taxes. Written notice of the rate of such tax and the amount thereof shall be sent by the treasurer or collector to each member of the association before April 15 in each year, on which date such tax shall be due and payable and in the manner stated therein, and if such tax shall not be paid when due, it shall bear interest at the rate of ten per cent per annum. The treasurer or other collector shall have all the powers of collectors of town taxes and shall be accountable to the board in the same manner as town tax collectors are accountable to selectmen. Such tax shall be a lien upon the property upon which it shall be laid and may be collected by suit in the name of the association by foreclosure of such lien or in such manner as town taxes may be collected. Such lien may be continued by certificate which shall be recorded in the land records of the town of Plymouth, pursuant to the provisions of the general statutes relating to the continuance of tax liens. The board of governors may from time to time recommend a special tax be laid to fund projects beneficial to the health, comfort, protection and convenience of the members of the association. Said special tax, together with receipts from other sources, if any, authorized by said association shall not exceed an amount sufficient to meet appropriations for the proposed costs of such projects, provided any special tax recommended by the board shall not be effective unless approved by a majority of the members of said association at a special meeting called for the purpose of voting on such recommendation. Said special tax shall be levied and collected in the same manner as the annual tax provided for in this section.

Approved July 8, 2005